

ZFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

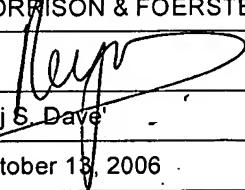
(to be used for all correspondence after initial filing)

		Application Number	10/748,525
		Filing Date	December 29, 2003
		First Named Inventor	Tae-Woong KOO
		Art Unit	1634
		Examiner Name	S. C. Pohnert
Total Number of Pages in This Submission	3	Attorney Docket Number	070702006500

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Raj S. Dave		
Date	October 13, 2006	Reg. No.	42,465



PATENT  
070702006500(P15620)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Tae-Woong KOO et al.

Serial No.: 10/748,525

Filing Date: December 29, 2003

For: METHODS AND COMPOSITIONS FOR  
NUCLEIC ACID DETECTION AND  
SEQUENCE ANALYSIS

Examiner: Steven C. Pohnert

Group Art Unit: 1634

Confirmation No.: 9348

**RESPONSE TO NOTIFICATION OF INCOMPLETE REPLY**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Incomplete Reply dated September 14, 2006,  
Applicants hereby provisionally elect *a polymethine dye* from Table 1 as required by the species  
election of section 3 of the Action of June 9, 2006.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **070702006500**.

Dated: October 13, 2006

Respectfully submitted,

By \_\_\_\_\_  
Raj S. Davé  
Registration No.: 42,465  
MORRISON & FOERSTER LLP  
1650 Tysons Boulevard  
Suite 300  
McLean, VA 22102  
Phone: (703) 760-7700  
Fax: (703) 760-7777